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LETTER DATED 8 MARCH 2000 FROM THE PERMANENT REPRESENTATIVE OF UGANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to forward to you a record of a meeting with the Security Council Panel of Experts on sanctions busting against UNITA (see annex). The meeting took place in Kampala on 16 February 2000. The Security Council Panel of Experts on UNITA sanctions was led by Ambassador Anders Möllander.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) SEMAKULA KIWANUKA
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Uganda
to the Uniced Nations

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Annex

Government of Uganda responses to the questions raised by the Security Council Panel of Experts on UNITA sanctions

The United Nations Security Council Panel of Experts to investigate violations of sanctions imposed against UNITA visited Uganda from 14 to 17 February 2000.

The team was in Uganda to investigate allegations of the Ugandan Government's collaboration with UNITA in contravention of United Nations sanctions. Members of the Panel met Ugandan government officials on Wednesday, 16 February 2000 at 9 a.m.

The Chairperson of the Panel, Ambassador Anders Möllander, pointed out to the Ugandan side that the Panel was not a tribunal but an investigative committee to find out how UNITA has been able to stay afloat despite the sanctions and to make recommendations on how to plug the loopholes in enforcing the sanctions.

The Panel raised a number of questions. The Ugandan side categorized them under the following broad headings:

1. Arms transfers by the Government of Uganda to UNITA

   - Whether it was true that some of the military tanks imported by Uganda through Dar es Salaam late 1998/early 1999 were also destined to UNITA-held areas.

   - The relationship between UNITA and Uganda-backed MLC of Jean-Pierre Bemba in the Democratic Republic of the Congo as a possible conduit for arms to circumvent the arms embargo.

   - Who issues end-user certificates for arms re-exported from Uganda.

2. Government of Uganda customs procedure

   - Of interest to the Panel were the possible import/re-export of UNITA diamonds into/out of Uganda as well as re-exportation of petroleum products to UNITA-held areas of Angola.

3. Information on air supply and cargo aircraft operating out of Uganda

   - Information on international airfields within Uganda.

   - Why high-level government officials took an interest in the release of a cargo plane which was impounded in Zambia in August 1999 (after having discharged its cargo) on suspicion that it had been ferrying arms to UNITA-held areas of Angola. It is alleged that someone in the Government asked President Chiluba of Zambia to intervene in order to have the plane released.

4. Verify reports of visits by senior Ugandan army officers to UNITA-held areas of Angola between 1996 and December 1999

- Related to this were alleged visits to Uganda by Jonas Savimbi of UNITA in October and November 1999, and visits by other senior UNITA officials.

5. The Panel asked the Ugandan delegation whether they had any information about the following people:

- Victor Bout or Boutov - an arms dealer operating a cargo airliner under different names.
- Jacques "Kiki" Lamaire - owns planes and is involved in fuel airlifts to UNITA.
- Tony Teixeira - a South African arms dealer of Portuguese origin.
- Imad Kabir - of Lebanese origin and an arms dealer.
- Marcello Dachala "Carrica" - active in securing fuel and arms.
- "Watson", a South African who goes by only one name.
- Dr. Marx or Maxi - East European origin; trained UNITA cadres.

In response, the leader of the Ugandan delegation, Ralph Ochan, Permanent Secretary, Ministry of Foreign Affairs, informed the Panel that, when Uganda first heard about these allegations, the First Deputy Prime Minister/Minister for Foreign Affairs decided to write the OAU Secretary-General as early as February 1999, with copies to the Secretary-General of the United Nations, seeking their indulgence to have the allegations verified. Since then there has been no response. This visit was therefore welcome and offers an opportunity to establish the truth.

The Ugandan side then asked for an adjournment of a few hours to prepare a response to the questions. The meeting was adjourned at 10.30 a.m. and reconvened at 3 p.m. the same day.

The Government of Uganda responded to the Panel's queries as follows:

1. Arms transfers to UNITA

(a) End-user certificates for large consignments of arms are issued only by the Permanent Secretary, Ministry of Defence. The office of the Permanent Secretary/Ministry of Defence confirmed that no such certificate has ever been issued for arms to Angola.

(b) All the tanks imported through Dar es Salaam in 1998/99 are in the possession of the Uganda Peoples Defence Forces and can be physically verified.

(c) Uganda does not supply weapons to UNITA either directly or indirectly through MLC. Uganda has not supplied any arms to MLC - most of the MLC arms are captured from Democratic Republic of the Congo Government forces and from the defeated Chad forces.

(d) While Uganda is cooperating with MLC of Jean-Pierre Bemba, it is not our policy to dictate whom our partners should cooperate or not cooperate with - it is for the MLC to choose their friends.

2. Customs procedure

(a) Uganda has no seaport. Most of the imports (over 70 per cent) are by road.

(b) Transit cargo: the Customs department of the Uganda Revenue Authority receives and escorts transit cargo vehicles from entry to exit points. In most cases the original seals on the containers are left intact. Should there be cause for suspicion, Customs does the physical verification of the goods, after which a Uganda Revenue Authority seal is put on the container. In all cases of transit goods, a customs bond is executed at the point of entry and the sum is refunded only after the goods have exited Uganda.

(c) Total verification is done at inland container depots for goods destined for Uganda.

(d) Records indicate that Uganda has neither imported nor re-exported diamonds into/out of Uganda.

(e) Uganda neither produces petroleum nor re-exports it, not even by air, since this falls under the category of dangerous goods.

3. Cargo aircraft out of Uganda and aviation procedure

(a) Uganda has only one international airport, at Entebbe, with three runways of 3.6 km, 2.4 km and 1.6 km, respectively.

(b) The other airfields are either grass or murram and only take light aircraft.

(c) Entebbe has five adjoining Air Traffic Advisory Centres in Nairobi (East), Dar es Salaam (South), Kigali (South-West), Kinshasa (West) and Khartoum (North).

(d) As a signatory to the Chicago Convention on Civil Aviation, Uganda is duty bound not to allow into her airspace aircraft violating the airspace of other sovereign States.

(e) The airbase at Entebbe is open to and used by many leased aircraft and it is impossible to conduct secret flights from there without attracting any attention.

(f) The plane that was impounded in Zambia had tried to operate out of Entebbe but its airworthiness was found wanting. It left Entebbe for the last time, one month (July 1999) prior to its impounding, for Eldoret. There are no records to indicate that it returned to Entebbe after it was banned although the operator made several attempts to have it returned.

(g) The allegation that some senior Ugandan Government official contacted President Chiluba over the release of the plane could not be proved and it has the insinuation that it could be President Chiluba's Ugandan counterpart. The Panel is requested to make a copy of the said fax available to Uganda to assist in investigations.

4. Visits by UNITA officials to Uganda and vice versa

(a) Mr. Savimbi has never visited Uganda on the said dates.

(b) No UNITA official has visited Uganda since the imposition of the travel ban.

(c) No Ugandan government official has visited UNITA-held areas in Angola.

(d) The names of people forwarded by the Panel have not featured anywhere in our records.

Other matters raised

1. UNITA military assistance to UPDF/RPA/RCD/MLC: allegation that UNITA has installed an anti-aircraft battery in Kisangani. Uganda finds it ridiculous that it would have to depend on a fledgling rebel army for its air defence.

2. On miliary cooperation in the Democratic Republic of the Congo: the Uganda Peoples Defence Forces are not holding any territory bordering UNITA-held areas which are in north-eastern Angola.

Conclusion

The head of the Ugandan Government delegation expressed happiness that the Panel had finally come to Uganda to establish the truth of the allegations. He expressed the hope that this matter will finally be settled, but regretted that the Panel was staying for a short time and the work of the Panel is soon coming to an end.

The Panel was informed that a team of Angolan intelligence officers had visited Uganda in the framework of cooperation between the two Governments and had had the opportunity to travel to different parts of the country in which they had interest but had not turned up any evidence incriminating Uganda.

The head of Uganda's team expressed the hope that the term of the Panel would be extended to enable them to do a thorough job. He added that Uganda would accept and welcome any follow-up team of investigators, if this could erase the suspicion on the alleged collaboration with UNITA.

The head of the Ugandan delegation reiterated Uganda's support for the Angola Peace Agreement and respect for and adherence to all Security Council resolutions.

The Panel Chairman informed the Ugandan team that the Panel would submit its findings to the Chairman of the Security Council Committee on Angola, who would in turn make a report to the Security Council.

Furthermore, the Government of Uganda takes this opportunity to reiterate its offer to the Angolans to come to Uganda to cross check the information given over a period.